

February 17, 2025

Via CM/ECF

The Honorable Susan Richard Nelson
United States District Court
316 N. Robert Street
St. Paul, MN 55101

Re: *In Re: Netgain Technology, LLC, Consumer Data Breach Litigation*
Case No. 0:21-cv-01210 (SRN/LIB)

Dear Judge Nelson:

Pursuant to the Court's October 31, 2024 Order (ECF No. 110), and Plaintiffs' February 10, 2025 update letter (ECF No. 114), the parties write with another update to the Court regarding the proposed settlement of this matter.

The parties respectfully request that the Court set a status conference for a convenient date after March 4, 2025. As the parties previously reported, a petition for writ of certiorari to the Supreme Court of the United States was filed on October 25, 2024 in *Ford v. Sandhills Medical Foundation, Inc.*, 4:21-cv-02307-SAL (D.S.C.), which relates to the data breach at issue here and which impacts the parties' proposed settlement. That petition has been fully briefed and conference is scheduled for February 28, 2025. We hope to know whether certiorari is denied on March 3, 2025. Knowing the Supreme Court's certiorari decision will aid the parties in addressing the impact on the proposed settlement and allow us to more accurately apprise the Court.

The parties are also available for a status conference with the Court prior to March 4, 2025 should the Court wish to discuss the specific status of the litigation pending before Your Honor.

Respectfully submitted,



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cc: All Counsel of Record
(*via CM/ECF*)